

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application in view of the request for continued examination filed herewith.

The status of the claims is as follows:

- Claims 1, 2, 4, 5, 7-9, 11-18, 20-26, 28, 30-35, 37-41, 44, 45, 47-62, 64-68, 70-79, 82-87, 89 and 90 were pending at the time of the action.
- Claims 53 is canceled herein.
- Claims 1, 4, 7, 9, 11, 12, 15, 21, 33, 41, 44, 47, 49, 58, 59, 66, 76, 77, 84, 89, and 90 are amended herein.
- Claims 91-95 are added herein.
- Claims 1, 2, 4, 5, 7-9, 11-18, 20-26, 28, 30-35, 37-41, 44, 45, 47-52, 54-62, 64-68, 70-79, 82-87, 89 and 90-95 are presented for examination.

[0004] The amendments and new claims are supported by the application as originally filed, for example at least at pages 11, 12, 27, 39-46, 49, 50, and 55, thus no new matter is presented via the amendment.

Cited Documents

[0005] The following documents have been applied to reject one or more claims of the Application:

- **Deutscher:** Deutscher, U.S. Patent Application Publication No. 20040001106
- **Lamkin:** Lamkin, U.S. Patent Application Publication No. 20040220926

Deutscher Does Not Anticipate Claims 33-35, 37-40, 49-53 and 55-57

[0006] Claims 33-35, 37-40, 49-53, and 55-57 stand rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Deutscher. Applicant respectfully traverses the rejection. Nevertheless, Applicant amends independent claims 33 and 49 herein to highlight distinctions solely in the interest of expediting issuance.

[0007] In accordance with 35 U.S.C. § 102, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); see also MPEP, § 2131. Furthermore, the elements disclosed in the single reference “must be arranged as in the claim under review.” In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990, internal citation omitted).

Independent Claim 33

[0008] In light of the amendments presented herein, Applicant asserts that the rejection of independent claim 33 is moot. Specifically, Deutscher does not disclose, teach or suggest each element and feature of claim 33.

[0009] Claim 33 is amended to recite in part, “[i]n a media timeline exposed via an application programming interface and having a plurality of nodes, a method comprising: ... rendering a first media item of a plurality of media items, at least one of the plurality of media items comprising a streaming media item, the first media item being referenced by a first node of a first node type of a plurality of node types,

the plurality of node types comprising a sequence node type that includes metadata describing a rendering order of a plurality of leaf nodes to the sequence node.”

Applicant respectfully asserts that neither of the cited documents, alone nor in combination, disclose, teach, nor suggest this feature

[0010] Claim 33 is amended to recite in part, “[i]n a media timeline exposed via an application programming interface and having a plurality of nodes, a method comprising: ... creating automatically, without user intervention, [a] second node of a second node type of the plurality of node types, [that references a second media item] while rendering the first media item.”

[0011] Deutscher is directed to creating an interactive presentation employing multi-media components and describes a tool for human user interaction rather than “a media timeline exposed via an application programming interface ... having a plurality of nodes” as recited in the claim. Moreover, the cited paragraphs describe a user selecting

... a presentation template [that] specifies layout features and interactive functionality for an interactive presentation window which when rendered displays the presentation being authored. [A] presentation tool window is displayed to the user and it is populated with the selected template’s layout and functionality data [that] provides a graphic user interface to assist the user in tasks including specifying media files to be imported, modifying the layout and functionality data and entering scheduling information associated with the presentation. ... As the foregoing data is being entered, the presentation tool creates a presentation data file including all the layout and functionality data, as well as scheduling data associated with the presentation.

Deutscher, [0027].

[0012] Deutscher goes on to discuss a presentation package being built that “includes exported versions of the imported media components, and a presentation file

which is executable by a viewer of the presentation and when executed renders the aforementioned presentation window for viewing the presentation. ... [T]he presentation file is created by incorporating the data contained in the presentation data file into the file associated with the selected template.” Deutscher, [0028].

[0013] Thus, it appears that Deutscher merely provides an interface for a user to enter files, modify their layout and functionality, schedule the files to be played back, and package them in an executable file rather than “[i]n a media timeline exposed via an application programming interface and having a plurality of nodes, a method comprising: ... creating automatically, without user intervention, the second node of a second node type of the plurality of node types, while rendering the first media item” as recited in the claim. Without conceding that the “presentation file” may appropriately be considered a “second node,” notably, only a presentation file is created, and that presentation file is not created “while rendering the first media item” as claimed. For at least this reason, claim 33 is allowable over Deutscher.

[0014] Additionally, claim 33 recites in part, “wherein the media timeline is configured for automatic dynamic updating such that metadata included in at least one node specifies a collection of nodes to be modified when the at least one node is loaded.”

[0015] For convenience, selected portions from the description of this feature are reproduced below.

[00133] ... in an exemplary implementation ... events are provided by a node ... such that changes that occur to the media timeline ... may be communicated to nodes that may be affected by the changes.

[00134] Each of the nodes ... may generate events ... utilized to inform other nodes of the media timeline ... that may be affected by changes to the node and/or changes to children of that node. ... In this way, eventing may be utilized inform various nodes of the media timeline

... about dynamic changes to the timeline structure. Additionally, nodes of the media timeline ... may subscribe to events initiated by other nodes of the media timeline. [A n]ode ... may subscribe to receive events from [another] node [without being] a “parent” of the node.

[00137] Node Changing ... The node changing ... event is issued when metadata on a node of the media timeline ... is being changed. Node [X], for instance, may include metadata, Changes to the metadata may cause the node [X] to issue the node changing ... event Thus, the node changing ... event may be utilized to inform other nodes and/or applications that utilize the node [X] that changes are being made to the node [X], and therefore respond according, such as to wait to render the node [X] until a node changed ... event is received.

[00138] Node Changed ... The node changed ... event is issued when metadata on a node of the media timeline ... has been changed. Continuing with the previously example, node [X] issued the node changing ... event such that other nodes and/or applications are informed that changes are being made to the node [X]. When the changes are complete, the node [X] may issue the node changed ... event to inform the applications and/or nodes that the changes have been completed. In this way, the node [X] may utilize the node changed ... event to inform that it is ready for rendering.

(Emphasis and paragraph formatting removed).

[0016] In contrast, Deutscher describes various sections of a manifest file. The manifest file is as introduced in Deutscher at paragraph 0212, which is reproduced below for convenience.

The structure of a LRN formatted “imsmanifest.xml” file is shown in FIG. 29. In general, the standard LRN manifest 2900 contains MetaData describing the presentation 2902 (such as Title or Description), organizations of the content 2904 (such as a Table of Contents) with a list of individual content items 2908, and a resources section 2906 having a list of individual resources 2910 (such as HTML files, graphics, or other content). Each of these sections of the manifest 2900 will now be described in more detail. In order to facilitate this explanation, an example imsmanifest.xml file listing has been provided in Appendix A. The various sections of this example file will be referred to in the description of that section.

Deutscher, [0212].

[0017] As shown in the excerpt, Deutscher describes a particular manifest file. Deutscher proceeds to discuss several sections and elements of the manifest file including a “MetaData section,” a “<mifftdata> Element,” an “<extendedmetadata> Element,” and a “<ui> Element,” (Deutscher, [0213]-[0221]) as well as a “<media> Element” as part of a “Resources Section.” Deutscher, [0224], [0229] and [0230].

[0018] However, no “dynamic updating” would occur in Deutscher because Deutscher merely describes a user entering files for packaging in an executable file, and that the user may modify the files’ layout and functionality before they are so packaged. The requirement that the files be modified by the user does not equate to dynamically updating a second media item while rendering a first media item.

[0019] Thus although Deutscher describes various sections, elements, and properties, Deutscher does not disclose a “media timeline ... configured for automatic dynamic updating such that metadata included in at least one node specifies a collection of nodes to be modified when the at least one node is loaded” as recited in claim 33. For at least this additional reason, claim 33 is allowable over Deutscher.

[0020] Consequently, Deutscher does not disclose all of the elements and features of this claim. Moreover, Lamkin has not been shown to disclose the elements and features of claim 33 discussed above. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Independent Claim 49

[0021] In light of the amendments presented herein, Applicant asserts that the rejection of independent claim 49 is moot. Specifically, Deutscher does not disclose,

teach or suggest each element and feature of claim 49. As amended, claim 49 recites the following:

A method comprising:

exposing a media timeline via an application programming interface (API), the media timeline having a plurality of nodes, two or more nodes each referencing respective media at least one of which comprises streaming media, and wherein the media timeline is configured for dynamic loading such that metadata included in at least one node specifies a collection of nodes to be loaded when the media timeline is rendered;

rendering a first node to output a referenced first said media;

during the rendering of the first node, dynamically changing one or more properties of a second node; and

initiating, by an event generator located on the second node, an event for communication to a parent node of the second node, wherein the event describes the changing.

[0022] However, Deutscher does not disclose “exposing a media timeline via an application programming interface (API), the media timeline having a plurality of nodes, two or more **nodes** each referencing respective media at least one of which comprises **streaming media**, and wherein the media timeline is configured for dynamic loading such that metadata included in at least one node specifies a collection of nodes to be loaded when the media timeline is rendered;” and “during the rendering of the first node, **dynamically** changing one or more properties of a second node” as recited in the claim.

[0023] Deutscher does not discuss streaming media. Paragraphs 0014-0016, consistent with the discussion of Deutscher above, describe a “presentation tool window [that] includes a presentation properties sector that is used to view and modify the

layout appearance and functionality attributes of the selected template via a series of property grids that are accessibly by selecting the appropriate tab.” Deutscher, [0014]. “Upon selection of a new language, the user can enter the associated metadata in that language into the data grid and it will be **stored** in the presentation data file with an associated language key. This enables the playback viewer to display metadata in different languages based on the user’s language selection.” Deutscher, [0015] (emphasis added). “A player property grid is also accessible in the presentation properties sector. The player property grid allows the user to edit and view the details of the master track media file. ... Information in this property grid is **stored** in both the presentation data file and the media file upon building the project.” Deutscher, [0016] (emphasis added). Thus, as discussed above, Deutscher describes a tool for human user interaction, and the tool particularly allows the user to edit and **store** properties using a property grid.

[0024] Deutscher fails to disclose dynamic changes including changing a property of a second node while a first media item is being rendered at least because in Deutscher a user makes changes to properties and stores them prior to playback.

[0025] Accordingly, in Deutscher properties are changed before rendering in contrast with the claim, which recites “during the rendering, dynamically changing one or more properties of a second node.” For at least this reason, claim 49 is allowable over Deutscher.

[0026] Additionally, claim 49 recites in part, “initiating, by an event generator located on the second node, an event for communication to a parent node of the second node,

wherein the event describes the changing [of the second node during rendering of the first node].”

[0027] Deutscher does not disclose “initiating, by an event generator located on the second node, an event for communication to a parent node of the second node, wherein the event describes the changing” as claimed. Deutscher at 0026 discusses a timeline editor that allows a user to move scheduled events, i.e., script commands, contents markers and transcription segment entries from the timeline interface. A user initiates moving the scheduled events as described in Deutscher. In contrast, as described with regard to Fig. 22 of the instant application, the claimed event communication is generated during dynamic changes to a media timeline.

[0028] Without conceding that the statement from the Office equates to what is claimed, Applicant respectfully asserts that Deutscher does not disclose “changes to an event on the timeline updates others of 0026” as stated by the Office. Deutscher has not been shown to disclose updating one event in response to a change in another event, much less the claimed “initiating, by an event generator located on the second node, an event for communication to a parent node of the second node, wherein the event describes the changing.” Moreover, Applicant respectfully notes that no “application programming interface” (API) is presented in Deutscher. For at least these additional reasons, as well as reasons similar to those discussed regarding claim 33, above, claim 49 is allowable over Deutscher.

[0029] Consequently, Deutscher does not disclose all of the elements and features of this claim. Moreover, Lamkin has not been shown to disclose the elements and

features of claim 33 discussed above. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn.

Dependent Claims 34, 35, 37-40, 50-57, and 89

[0030] Claims 34, 35, 37-40, 50-57, and 89 each ultimately depend from one of independent claims 33 or 49. Claim 53 is canceled herein, rendering the rejection moot. As discussed above, independent claims 33 and 49 are not anticipated by Deutscher, and are therefore allowable over Deutscher. Therefore, claims 34, 35, 37-40, 50-52, 54-57, and 89 are also allowable over the cited document of record for at least their dependency from an allowable base claim. In addition, while the Office cites Lamkin as additional reference in stating a rejection of some of these dependent claims, without conceding that Lamkin qualifies as a prior art reference or is properly combinable, this additional reference fails to remedy the deficiencies noted above in the rejection of these base claims. The dependent claims may also be allowable for the additional features that each recites.

[0031] For example, claim 89, which depends from claim 33, recites “[a plurality of node types comprising a sequence node that includes metadata that describes a rendering order of a plurality of leaf nodes to the sequence node]; and a parallel node that includes metadata specifying a plurality of leaf nodes that are rendered simultaneously.” Notably, the claim also recites that “a leaf node that directly maps to media to be rendered and output, the leaf node including metadata that describes how to retrieve the media.” Applicant respectfully asserts that Deutscher does not disclose each element and feature of claim 89. Figure 23 of Deutscher illustrates the “visual timeline editor” discussed above with respect to claim 33.

[0032] The following items are presented in the drawing: timeline 2300, elapsed time ruler 2302, resolution controls (e.g., zoom) 2304 and 2306, time code designation 2308, three event scheduling bands: script command event band 2310, content marker band 2312 and transcription segment band 2314, script command icon 2316, content marker icon 2318, transcription segment starting point icon 2320, vertical bar representing elapsed presentation time 2322, and scroll bar 2324. See Deutscher, [0175]-[0180]. Figure 23 is reproduced below for convenience.

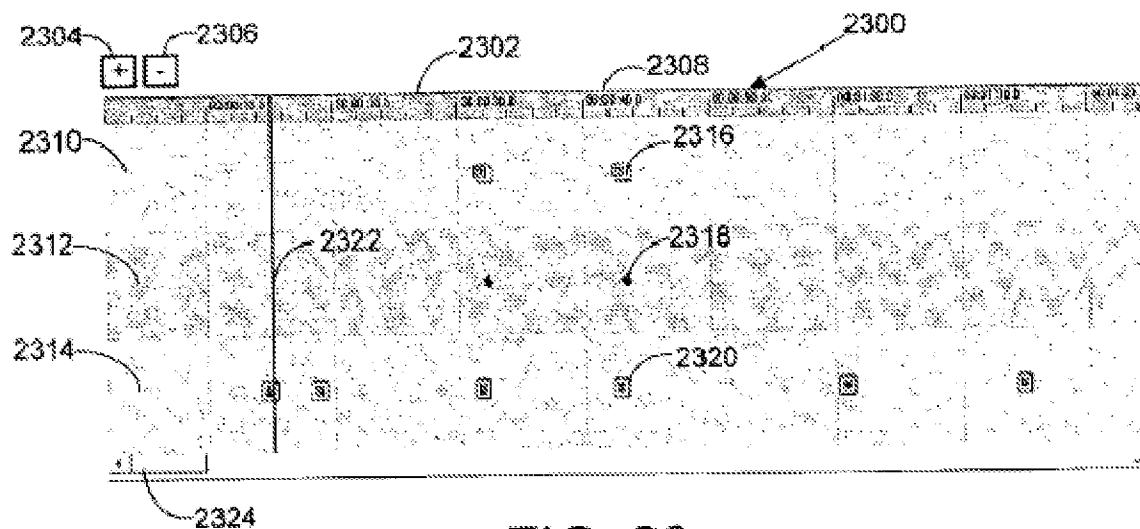


FIG. 23

[0033] Succinctly, for all that Deutscher describes, it does not disclose, teach or suggest each of the recited plurality of node types including “a parallel node that includes metadata specifying a plurality of leaf nodes that are rendered simultaneously.” Consequently, Deutscher does not disclose all of the elements and features of this claim. Accordingly, Applicant submits that Deutscher does not anticipate this claim, nor does Deutscher render the claim obvious. Therefore, Applicant respectfully requests that the rejection of this claim be withdrawn.

Claims 1-2, 4-5, 7-9, 11-18, 20-26, 28, 30-32, 41, 44-45, 47-48, 54, 58-62, 64-68, 70-79, 82-87 and 89-90 Are Non-Obvious Over Deutscher in view of Lamkin

[0034] Claims 1-2, 4-5, 7-9, 11-18, 20-26, 28, 30-32, 41, 44-45, 47-48, 54, 58-62, 64-68, 70-79, 82-87 and 89-90 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Deutscher in view of Lamkin. Applicant respectfully traverses the rejection of these claims and expressly preserves all rights and arguments. Nevertheless, Applicant submits that these rejections are moot in view of the amendments herein. Applicant amends independent claims 1, 15, 21, 41, 58, 66, 76, 77, and 84 herein to highlight distinctions solely in the interest of expediting issuance.

The Obviousness Standard

[0035] The failure of an asserted combination to teach or suggest each and every feature of a claim remains fatal to an obviousness rejection under 35 U.S.C. § 103. “A factfinder should be aware, ... of the distortion caused by hindsight bias and must be cautious of argument reliant upon *ex post* reasoning,” KSR Int’l Co. v. Teleflex Inc., 127 S. Ct. 1727, 82 USPQ2d 1397 (Fed. Cir. 2007). Applicant respectfully asserts that not every element and feature of the claims is taught or suggested by the combination of references in this instance.

[0036] Section 2143.03 of the MPEP requires the “consideration” of every claim feature in an obviousness determination. To render a claim unpatentable, however, the Office must do more than merely “consider” each and every feature for this claim. Instead, the asserted combination of the patents to references must also teach or suggest each and every claim feature. See In re Royka, 490 F.2d 981, 180 USPQ 580

(CCPA 1974) (emphasis added) (to establish prima facie obviousness of a claimed invention, *all the claim features* must be taught or suggested by the prior art).

[0037] As the Board of Patent Appeal and Interferences has recently confirmed, a proper obviousness determination requires that the Office make “a searching comparison of the claimed invention – including all its limitations – with the teaching of the prior art.” See In re Wada and Murphy, Appeal 2007-3733, citing In re Ochiai, 71 F.3d 1565, 1572 (Fed. Cir. 1995). Further, the necessary presence of all claim features is axiomatic, since the Supreme Court has long held that obviousness is a “*question of law* based on underlying factual inquiries, including ... ascertaining the differences between the claimed invention and the prior art.” Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966) (emphasis added).

[0038] Lastly, the Applicant respectfully directs attention to MPEP § 2143, the instructions of which buttress the conclusion that obviousness requires at least a suggestion of all of the features of a claim.

[0039] In sum, it remains well-settled law that obviousness requires at least a suggestion of all of the features in a claim. See In re Wada and Murphy, citing CFMT, Inc. v. Yieldup Intern. Corp., 349 F.3d 1333, 1342 (Fed. Cir. 2003) and In re Royka, 490 F.2d 981, 985 (CCPA 1974)).

[0040] At least since none of the references presented above and further discussed below teach or suggest all of the elements of these claims, there exists no reasonable evidence to combine these references in this way. Applicant respectfully asserts that not every element and feature of the claims is taught or suggested by the combination of references in this instance.

Independent Claim 1

[0041] In light of the amendments presented herein, Applicant asserts that the rejection of independent claim 1 is moot. As amended claim 1 recites the following (additions underlined):

A method comprising:

receiving a request, from an application at an application programming interface (API), to interact with a plurality of media comprising streaming media; and

generating an original media timeline based on the request, wherein the original media timeline:

is exposed to the application via the API;

includes a plurality of nodes; and

defines a presentation, to be output via one or more computers, of a first media referenced by a first node with respect to a second media referenced by a second node, wherein:

the first and second nodes are configured as parallel nodes such that the first node that is a child of a parent node is rendered concurrently with the second node that is a child of the same parent node;

the original media timeline is configured for dynamic creation such that at least one node is created while at least one of the media referenced by the plurality of nodes of the original media timeline is being rendered; and

at least one node includes metadata, the metadata describing:

rendering of the at least one node; and

a collection of additional nodes to be dynamically modified when the original media timeline is rendered.

[0042] The Office acknowledges, and Applicant agrees, that Deutcher does not teach each element and feature of this claim prior to the amendment. The Office then cites Lamkin at paragraph [0387] as allegedly teaching “the original media timeline is configured for dynamic creation such that at least one node is created while at least one of the media referenced by the plurality of nodes of the original media timeline is being rendered,” before the amendment.

[0043] Paragraph [0387] of Lamkin is reproduced below for convenience.

[0387] In addition, a stream of video can have predefined jump points in the entity metadata to instruct the playback system to intelligently load the stream (start loading at multiple points in the stream to enable quick jumping). Further, some predictive analysis is optionally used by the playback system (using the jump points defined in the metadata) to setup not only the start of playback at t=00:00 but also at a jump point defined at t=05:13. Thus, if a portion of an entity that is being downloaded has inappropriate content for children, the streaming video will begin downloading at the beginning of the video and also directly after the inappropriate content. A jump point can then be defined at the beginning of the inappropriate content such that the player will skip the inappropriate content and continue play with the video directly after the inappropriate content.

[0044] In the advisory action, the Office states that several of the priority documents of Lamkin “contain support for the jump and load features of Lamkin.” The Office provides an example, “09/935756 (page 19), published as 20020078144, [supports] media having predefined jump points for intelligent loading, where jump points are defined for jumping between chapters or points on a media timeline.”

[0045] At least because the “jump points” of Lamkin are “predefined” they are not “dynamically created while at least one of the media referenced by the plurality of nodes of the original media timeline is being rendered,” as recited in claim 1. Applicant reserves comment regarding whether a “jump point” as presented in [0387] and

discussed by the Office, might be considered “a node,” in some context other than that of claim 1.

[0046] Applicant notes that the new recitations of claim 1 have not been presented in their entirety in any previous version of the claims. Consequently, the purported combination of documents has not been shown to teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn and the claim passed to issuance.

Independent Claims 15, 21, 41, 58, 66, 76, 77, and 84

[0047] Applicant submits that each of these independent claims recite at least one similar element to those recited in claim 1. Applicant further notes that the new recitations of claims 15, 21, 41, 58, 66, 76, 77, and 84 have not been presented in their entirety in any previous version of the claims. Thus, at least by virtue of these new recitations, the rejection of claims 15, 21, 41, 58, 66, 76, 77, and 84 is overcome. Accordingly, Applicant respectfully requests that the rejection of these claims be withdrawn and the claims passed to issuance.

[0048] For example, as amended, claim 15 recites “generating a media timeline ... configured for dynamic creation such that at least a first node grouping is created while media referenced by a second node grouping in the media timeline is being rendered.” As discussed above, Lamkin [0387] describes predefined jump points. Such predefined jump points are inconsistent with “a first node grouping ... created while media referenced by a second node grouping ... is being rendered,” as recited in the claim.

[0049] As another example, as amended claim 21 recites “specifying an effect to be applied to one or more of a plurality of media comprising streaming media when the

media is rendered ... one or more of the plurality of nodes that reference the one or more of the plurality of media include metadata that controls the effect to be applied to the one or more of the plurality of media when the media is rendered.” Deutscher at paragraphs [0213]-[0221] and [0230] are cited in rejection prior to the amendment. However, Deutscher does not describe “an effect ... applied to ... streaming media.” Instead, Deutscher discusses a particular XML schema applied to stored data. The claim further recites that “the media timeline is configured for dynamic creation such that at least one node of the plurality of nodes is created while the media timeline is rendered.” Lamkin [0387] is cited in the rejection prior to the amendment. As discussed above, [0387] discusses predefined jump points.

[0050] Thus, the cited documents whether taken alone or in combination fail to teach each element and feature of the claim. Accordingly, Applicant respectfully requests that the rejection of claim 21 be withdrawn and the claim passed to issuance.

[0051] As another example, as amended claim 41 recites in part, “utilizing a computer to load a first node for rendering, wherein the first node is selected from a plurality of node types, the plurality of node types comprising a parallel node type that includes metadata specifying a plurality of leaf nodes that are rendered simultaneously.”

[0052] Neither Deutscher nor Lamkin, alone or in combination have been shown to teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of claim 41 be withdrawn and the claim passed to issuance.

[0053] As another example, as amended claim 58 recites in part, “each node includes metadata that describes the node, the metadata comprising a source object property

that specifies a source object which can resolve to a media source that provides the media referenced by the node; [and] one or more nodes reference a corresponding media item comprising a streaming media item.”

[0054] Neither Deutscher nor Lamkin, alone or in combination have been shown to teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of claim 58 be withdrawn and the claim passed to issuance.

[0055] As another example, as amended claim 66 recites in part, “exposing a media timeline to one or more independent applications, the media timeline comprising a plurality of nodes callable by one application, wherein: two or more of the nodes reference respective media, one of which comprises streaming media.” Although Lamkin mentions a stream of video with predefined jump points, Lamkin does not describe one of two or more nodes referencing streaming media because Lamkin only describes one stream, and the predefined jump points are only each referencing the one stream.

[0056] Neither Deutscher nor Lamkin, alone or in combination have been shown to teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn and claim 66 passed to issuance.

[0057] As another example, as amended claim 76 recites in part, “exposing a media timeline comprising two or more nodes to the application [and] each of the two or more nodes: referenc[ing] corresponding media, at least one of the corresponding media comprising streaming media while another of the corresponding media does not include

streaming media.” Although Lamkin mentions a stream of video with predefined jump points, Lamkin does not describe two or more nodes referencing media, one referencing streaming media and another referencing media that does not include streaming media because Lamkin only describes one stream, and the predefined jump points are only each referencing the one stream.

[0058] Neither Deutscher nor Lamkin, alone or in combination have been shown to teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of claim 76 be withdrawn and the claim passed to issuance.

[0059] As another example, as amended claim 77 recites in part, “the media timeline: includes a plurality of nodes that each reference respective media including at least one read-only node that disables functionality for deleting advertisements.”

[0060] Neither Deutscher nor Lamkin, alone or in combination have been shown to teach or suggest all of the elements and features of this claim. Accordingly, Applicant respectfully requests that the rejection of claim 77 be withdrawn and the claim passed to issuance.

[0061] As another example, as amended claim 84 recites in part “at least one node that is a parallel node that provides simultaneous rendering of at least two child nodes the child nodes including respective metadata and having respective pointers to respective media.”

[0062] Prior to the amendment the office cites Deutscher as allegedly teaching this element. Particularly, paragraph [0011], which discusses a document tree format for creating a presentation; paragraphs [0163]-[0166], which discuss a table of contents

presentation that is user editable; figure 19, which shows a work sector of a user interface; and figure 23, which was discussed above.

[0063] Applicant emphasis that neither at the cited locations or elsewhere does Deutscher teach or suggest “at least one node that is a parallel node that provides **simultaneous rendering of at least two child nodes**” much less, “at least one node that is a parallel node that provides **simultaneous rendering of at least two child nodes** the child nodes including respective metadata and having respective pointers to respective media” as recited in the amended claim. Accordingly, Applicant respectfully requests that the rejection of this claim be withdrawn and the claim passed to issuance.

Dependent Claims 2, 4, 5, 7, 9, 11-14, 16-18, 20, 22-26, 28, 30-32, 44, 45, 47, 48, 54, 59-62, 64, 65, 67, 68, 70-75, 78, 79, 82, 83, 85-87, 89, and 90

[0064] Claims 2, 4, 5, 7, 9, 11-14, 16-18, 20, 22-26, 28, 30-32, 44, 45, 47, 48, 54, 59-62, 64, 65, 67, 68, 70-75, 78, 79, 82, 83, 85-87, 89, and 90 each ultimately depend from one of independent claims 1, 15, 21, 33, 41, 49, 58, 66, 77, or 84. As discussed above, independent claims 1, 15, 21, 33, 41, 49, 58, 66, 77, and 84 are allowable over the purported combination of Deutscher and Lamkin. Therefore, claims 2, 4, 5, 7, 9, 11-14, 16-18, 20, 22-26, 28, 30-32, 44, 45, 47, 48, 54, 59-62, 64, 65, 67, 68, 70-75, 78, 79, 82, 83, 85-87, 89, and 90 are also allowable over the cited documents of record for at least their dependency from an allowable base claim. Applicant respectfully requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

[0065] Several of the dependent claims have been amended to further highlight claimed aspects that distinguish from the cited documents. In addition to dependence

from an allowable base claim, these claims may also be allowable for the additional features that each recites.

Conclusion

[0066] For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

[0067] If any issues remain that would prevent allowance of this application,
Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

By: /Bea Koempel-Thomas 58213/
Beatrice L. Koempel-Thomas
(bea@leehayes.com; 509-944-4759)
Registration No. 58213

Dated: 03/15/2010